

REMARKS

Claims 1-15 are currently pending in the application.

Claims 1-15 stand rejected over Kara (5,801,944) in view of Bresnan (5,873,073) and File (5,174,493). This rejection is respectfully traversed.

The Examiner has set forth essentially the same reasons in support of the instant rejection as were set forth in the office action of March 21, 2001. Accordingly, Applicants incorporate by reference the remarks of the response filed on June 19, 2001, in support of the position of the patentable nature of claims 1-15. Further, Applicants will attempt to elaborate on their position in order to expedite the prosecution.

Both independent method claim 1 and apparatus claim 9 are directed to a processor-based postage metering environment where a document is created that includes first and second evidences of postage thereon. The location of the first and second evidences of postage within the document are automatically determined by the postage metering system based on user-selected first and second fold configurations. Since a plurality of fold configurations are possible, the instant invention provides for the first time the ability of a postage meter to dynamically print the first and second evidences of postage at document locations that are dictated by the user selected first and second fold configurations.

The Examiner admits that Kara does not teach or suggest the printing of an evidence of postage in a document based on a user selected fold configuration. Further, Kara does not teach or suggest printing first and second evidences of postage on a document or that the printing locations of the first and second evidences of postage are based on a user selection of first and second fold configurations.

The Examiner relies on Bresnan for allegedly correcting the deficiencies of Kara. However, Applicants strongly disagree with the Examiner's interpretations of Bresnan.

The Examiner refers to column 2, lines 21-43 of Bresnan for teaching that a user can select a fold configuration prior to printing a document. The Applicants agree with the Examiner that certain print job characteristics are selected but note that the "characteristics" include, in addition to the fold configuration, the paper type, ink color, paper size and duplex or simplex printing. Most of these characteristics such as fold configuration, ink color, and paper type have nothing to do with the printing operation. They simply define how the final document will look.

Additionally, the abstract lines 8-13 do not suggest that the printing of a document is influenced by the fold configuration. The section referred to by the Examiner simply states that the printed document is to be folded in a certain manner after printing. The fold configuration is defined before printing in order to define the complete mailing requirement up front. That is, when a small business wants to do a direct or mass mailing, they send the job information to a centralized facility to perform the actual mail preparation and mailing. Thus, the centralized facility knows up front what type fold is required after printing. However, there is no teaching that this fold information is used to automatically determine the printing location on the document of the first and second evidences of postage. As previously stated, Bresnan only prints postage (franks) on the envelope into which the document is inserted.

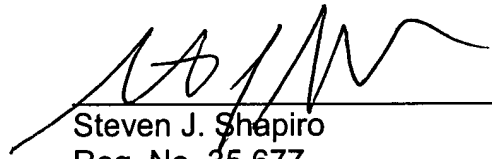
Finally, the Examiner's comment that "it is inherent that once a fold has been selected the system knows where on the document an evidence of postage is to be placed" does not make sense. What system is the Examiner referring to? Kara doesn't teach the user selection of a fold configuration and Bresnan doesn't print the evidence of postage on the document. Accordingly, how can it be inherent in Bresnan that once a fold is selected the system knows where to place the evidence

of postage on the document when Bresnan only prints the evidence of postage on the envelope and not the document?

Finally, applicants resubmit that the Examiner has impermissibly used the Applicants' teaching to hunt through the prior art for the claimed elements and combine them as claimed. Such hindsight use of the Applicant's disclosure is improper.

It is submitted that the application stands in condition for allowance. Reconsideration of the rejection is respectfully requested and an early notice of allowance earnestly solicited. If, however, the Examiner has any questions, please contact the undersigned at the number below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. Shapiro', is written over a horizontal line.

Steven J. Shapiro
Reg. No. 35,677
Attorney of Record
Telephone (203) 924-3880

PITNEY BOWES INC.
Intellectual Property and
Technology Law Department
35 Waterview Drive
P.O. Box 3000
Shelton, CT 06484-8000